

**IN THE CLAIMS:**

**Please amend claims 5 and 11 as follows:**

5. (Amended) The semiconductor memory device according to claim 4, wherein

said silicon nitride layer is patterned to have a same planar shape as the opposing electrode.

11. (Amended) The semiconductor memory device according to claim 10, wherein

said lower part of the insulator laminate includes a silicon nitride layer at an uppermost level, which

is patterned to have a same planar shape as the opposing electrode.